

UNITED STATES OF AMERICA	)	
	)	
v.	)	ORDER
	)	
JORGE LUIS PEREZ,	)	
	)	
Defendant.	)	
	)	

On December 7, 2021, a Bill of Indictment was filed charging Defendant with two counts of possessing with the intent to distribute methamphetamine and one count of possessing a firearm in furtherance of a drug trafficking crime. Doc. 1.

On January 18, 2022, Defendant was arrested in the Middle District of Florida. He made his initial appearance there the following day. He waived his rights to certain hearings to which he may have been entitled in the Middle District of Florida and requested that a detention hearing be held in the Western District of North Carolina. Doc. 4 – 1.

On March 15, 2022, Defendant filed a *pro se* Motion for Dismissal of Indictment (“Motion to Dismiss,” Doc. 7).

On March 16, 2022, Defendant made his initial appearance in this district. During that proceeding, Defendant moved for the appointment of

counsel and his request was granted. The Court noted that the Motion to Dismiss had been filed and indicated that, since counsel was being appointed, it would be appropriate for counsel to advise whether Defendant wished to proceed with the Motion to Dismiss.

On March 17, 2022, attorney Derrick Bailey was appointed to represent Defendant.

On March 21, 2022, Defendant appeared before the Court for arraignment and detention hearings. He pled not guilty, requested a jury trial, and waived his right to an immediate detention hearing. Doc. 12. The undersigned again noted the Motion to Dismiss and Mr. Bailey indicated he was reviewing that filing.

The undersigned believes that a deadline for Defendant to advise of his position relative to the Motion to Dismiss should be established and would help this matter move forward in an orderly fashion.

Accordingly, Defendant is **DIRECTED** to file, on or before April 4, 2022, either: 1) a notice stating that he wishes to proceed with the Motion to Dismiss or 2) a request asking that the Motion to Dismiss be withdrawn.

Should Defendant wish to proceed with the Motion, the Government shall file a response within seven (7) days of the date on which Defendant's notice is served.

It is so ordered.

Signed: March 28, 2022

A handwritten signature in black ink, reading "W. Carleton Metcalf", written over a horizontal line.

W. Carleton Metcalf  
United States Magistrate Judge

